



Ector County Commissioners' Court

November 05, 2024

10:00 AM

Commissioners' Courtroom, Ector County Administration Building Annex, 1010 E. 8th St.,
Odessa, Texas

CALL TO ORDER- JUDGE DUSTIN FAWCETT

Dustin Fawcett, County Judge
Mike Gardner, Commissioner Precinct #1
Greg Simmons, Commissioner Precinct #2
Billy Hall, Commissioner Precinct #4
Minutes taken by Jennifer Martin, County Clerk
Absent:
Don Stringer, Commissioner Precinct #3

The meeting was called to order at 10:00 a.m.

INVOCATION- COMMISSIONER BILLY HALL

The invocation was led by Commissioner Hall.

PLEDGE OF ALLEGIANCE- UNITED STATES AND TEXAS

Commissioner Simmons led the pledge of allegiance to the United States flag and the pledge of allegiance to the Texas flag.

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. Public Participation/Comments, Shelby Rigtrup- Public Information Officer

To receive public comments on non-agenda related items.

Michelle Lee Spinks, 1716 N. Roadrunner Ave., Odessa, Texas addressed the court to give an update on Kellus Turner Park.

NO ACTION WAS TAKEN ON THIS ITEM

2. Presentation, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to receive a *presentation* from the Texas PACE Authority regarding implementing this program in Ector County, Texas.

ITEM WITHDRAWN

3. Donation, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action to accept a \$3,000.00 donation from 3 Amigos Racing Playgrounds , LLC., for the Ector County Sheriff's Office.

Commissioner Hall made a motion to accept the donation from 3 Amigos Racing Playgrounds, LLC; a second was made by Commissioner Simmons. MOTION PASSED 4-0

4. Donation, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action to approve a \$15,000.00 donation from Occidental Petroleum Corporation for the Ector County Sheriff's Office.

A motion was made by Commissioner Simmons to approve a donation from Occidental Petroleum Corporation for the Ector County Sheriff's Office; Commissioner Gardner seconded the motion. MOTION PASSED 4-0

5. Texans Feeding Texans Grant, Shelby Rigtrup- Public Information Officer

To consider, discuss, and take any necessary action to *approve* a *Resolution* authorizing County Grant Program Year 2025 regarding the Texas Department of Agriculture *Texans Feeding Texans Home-Delivered Meal Grant Program*, including a grant made to Meals on Wheels of Odessa, Inc., in the amount of \$5,661.00, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #5.pdf

Commissioner Gardner made a motion to approve a *Resolution* authorizing County Grant Program Year 2025 regarding the Texas Department of Agriculture *Texans Feeding Texans Home-Delivered Meal Grant Program*, including a grant made to Meals on Wheels of Odessa, Inc., in the amount of \$5,661.00, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Hall. MOTION PASSED 4-0

6. ROW Negotiation Authorization, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to authorize John Henderson, Commissioners' Court Attorney, to begin negotiations of acquisition for the *3rd St. Right of Way* for the completion of 3rd St. in Ector County, TX.

A motion was made by Commissioner Simmons to table the item until Executive Session; Commissioner Gardner seconded the motion. MOTION PASSED 4-0

After Executive Session, Commissioner Simmons made a motion to authorize Mr. Henderson to negotiate up to fair market value as discussed in Executive Session; a second was made by Commissioner Hall. MOTION PASSED 4-0

CONTRACTS/AGREEMENTS/GRANTS

7. Interlocal Agreement: Justice Assistance Grant (JAG), Mike Griffis- Sheriff

To consider, discuss, and take any necessary action to approve an *Interlocal Agreement* by and between Ector County, Texas, and the City of Odessa for the *2024 Justice Assistance Grant (JAG)*, and authorize the County Judge, County Clerk, and County Attorney to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #7.pdf

Commissioner Hall to approve an *Interlocal Agreement* by and between Ector County, Texas, and the City of Odessa for the *2024 Justice Assistance Grant (JAG)*, and authorize the County Judge, County Clerk, and County Attorney to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. MOTION PASSED 4-0

8. Conflict Waiver Request, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to *approve* the *Conflict Waiver Request* provided by Norton Rose Fullbright US LLP, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #8.pdf

A motion was made by Commissioner Simmons to approve the *Conflict Waiver Request* provided by Norton Rose Fullbright US LLP., and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. MOTION PASSED 4-0

9. Exemption Order, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to *approve* an *order* by the Ector County Commissioners' Court to exempt Kimley Horn from the competitive bid process for providing services for the *Safe Street for All Safety Action Plan and Corridor Studies*, currently being performed under contract with the Permian Basin Regional Planning Commission, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; this project will provide an additional 4.45 miles of corridor study for Ector County.

Minutes Attachments

1. Agenda Item #9.pdf

Commissioner Hall made a motion to approve an *order* by the Ector County Commissioners' Court to exempt Kimley Horn from the competitive bid process for providing services for the *Safe Street for All Safety Action Plan and Corridor Studies*, currently being performed under contract with the Permian Basin Regional Planning Commission, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; this project will provide an additional 4.45 miles of corridor study for Ector County; a second was made by Commissioner Gardner. MOTION PASSED 4-0

10. Letter Agreement, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to *approve* the *Letter Agreement* from Kimley-Horn for *Professional Services* on additional work for the *Ector County Comprehensive Safe Street For All Safety Action Plan and Corridor Studies*, and authorize the County Judge to sign all documents associated with this agenda item; this project will provide an additional 4.45 miles of corridor study for Ector County, Texas.

Minutes Attachments

1. Agenda Item #10.pdf

A motion was made by Commissioner Gardner to approve the *Letter Agreement* from Kimley-Horn for *Professional Services* on additional work for the *Ector County Comprehensive Safe Street For All Safety Action Plan and Corridor Studies*, and authorize the County Judge to sign all documents associated with this agenda item; this project will provide an additional 4.45 miles of corridor study for Ector County, Texas; Commissioner Simmons seconded the motion. MOTION PASSED 4-0

PERSONNEL REQUESTS

11. Deputy Constable Appointments, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to receive a written application for *appointment* of *deputy constables* for Precinct #1 and to *approve/confirm* the *appointment* of Jesse Garcia and Richard Raymond as *deputy constables* in Precinct #1, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #11.pdf

Commissioner Gardner made a motion to approve the *appointment* of Jesse Garcia and Richard Raymond as *deputy constables* in Precinct #1, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. MOTION PASSED 4-0

DEVELOPMENT SERVICES

12. Annexation: Windmill Crossing, Eddie Landrum- Development Services Director

To consider, discuss, and take any necessary action regarding the *annexation* of real property, Windmill Crossing, Precinct #1, being an 11.425 acre tract, situated in Sections 27 & 28, Block 42, Township 1 South, Texas and Pacific Railway Company Survey (Commercial), Ector County, Texas, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #12.pdf

A motion was made by Commissioner Gardner to approve the *annexation* of real property, Windmill Crossing, Precinct #1, being an 11.425 acre tract, situated in Sections 27 & 28, Block 42, Township 1 South, Texas and Pacific Railway Company Survey (Commercial), Ector County, Texas, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. MOTION PASSED 4-0

13. Annexation: Headlee Estates, Eddie Landrum- Development Services Director

To consider, discuss, and take any necessary action regarding the *annexation* of real property, Headlee Estates, Precinct #2, being a 12.83 acre (GRID) tract of land, situated in Section 5, Block 41, Township 2 South A-70, Texas and Pacific Railway Company Survey (Commercial), Ector County, Texas, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #13.pdf

Commissioner Hall made a motion to approve the *annexation* of real property, Headlee Estates, Precinct #2, being a 12.83 acre (GRID) tract of land, situated in Section 5, Block 41, Township 2 South A-70, Texas and Pacific Railway Company Survey (Commercial), Ector County, Texas, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. MOTION PASSED 4-0

14. Tax Resale Deed, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to *approve* the *Tax Resale Deed* transferring ownership of of Lot 9, Block 2, Anderson Heights Addition, an addition to the City of Odessa, Ector County, Texas, as described in Volume 842, Deed Records of Ector County, Texas, Account # 00400-00050.000000, to 7A Homes, LLC., as they have paid the full original minimum bid on this property, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #14.pdf

A motion was made by Commissioner Simmons to approve the *Tax Resale Deed* transferring ownership of of Lot 9, Block 2, Anderson Heights Addition, an addition to the City of Odessa, Ector County, Texas, as described in Volume 842, Deed Records of Ector County, Texas, Account # 00400-00050.000000, to 7A Homes, LLC., as they have paid the full original minimum bid on this property, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Gardner seconded the motion. MOTION PASSED 4-0

CONSENT AGENDA

15. Proposed Consent Agenda, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action regarding the following *Proposed Consent Agenda*:

15a.) Line-Item Transfer- Library:

To consider, discuss, and take any necessary action to approve a *line-item transfer* to General Fund, Library, Library Supplies, 001-690-5185 for \$5,300.00, Subscriptions, 001-690-5207 for \$1,000.00, Departmental Furniture & Equipment for \$10,000.00, Educational Travel, 001-690-5161

for \$2,000.00, Office Supplies, 001-690-5171 for \$5,000.00, Professional Dues & Fees for \$1,000.00, from Contract Services, 001-690-5309 for a total of \$24,300.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda item #15.pdf

Commissioner Simmons made a motion to approve a *line-item transfer* to General Fund, Library, Library Supplies, 001-690-5185 for \$5,300.00, Subscriptions, 001-690-5207 for \$1,000.00, Departmental Furniture & Equipment for \$10,000.00, Educational Travel, 001-690-5161 for \$2,000.00, Office Supplies, 001-690-5171 for \$5,000.00, Professional Dues & Fees for \$1,000.00, from Contract Services, 001-690-5309 for a total of \$24,300.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Gardner. MOTION PASSED 4-0

BUDGET/FINANCIAL

16. Budget Amendment- County Court at Law #2, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a *budget amendment* to General fund, County Court at Law 2, Full-time salaries, 001-150-5103 for \$7,572.00, Longevity, 001-150-5107 for \$528.00, Social Security Taxes, 001-150-5121 for \$576.00, Retirement, 001-150-5123 for \$1,437.00, Workers Compensation, 001-150-5371 for \$23.00, and Unemployment Insurance, 001-150-5374 for \$15.00, from Unreserved fund balance, 001-3310 for a total of \$10,151.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #16.pdf

A motion was made by Commissioner Gardner to approve a *budget amendment* to General fund, County Court at Law 2, Full-time salaries, 001-150-5103 for \$7,572.00, Longevity, 001-150-5107 for \$528.00, Social Security Taxes, 001-150-5121 for \$576.00, Retirement, 001-150-5123 for \$1,437.00, Workers Compensation, 001-150-5371 for \$23.00, and Unemployment Insurance, 001-150-5374 for \$15.00, from Unreserved fund balance, 001-3310 for a total of \$10,151.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion. MOTION PASSED 4-0

17. Budget Amendment: Library, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a *budget amendment* to General Fund, Library, Library Supplies, 001-690-5185 for \$13,900.00, Subscriptions, 001-690-5207 for \$1,100.00, and to Donated Revenues, 001-4161 for \$15,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #17.pdf

Commissioner Simmons made a motion to approve a *budget amendment* to General Fund, Library, Library Supplies, 001-690-5185 for \$13,900.00, Subscriptions, 001-690-5207 for \$1,100.00, and to Donated Revenues, 001-4161 for \$15,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Hall. MOTION PASSED 4-0

18. Budget Amendment: Coliseum Capital Fund, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a *budget amendment* to Coliseum Capital fund, Improvements & Construction, 043-860-5509 from Unreserved Fund Balance, 043-3310 for \$911,854.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #18.pdf

A motion was made by Commissioner Simmons to approve a *budget amendment* to Coliseum Capital fund, Improvements & Construction, 043-860-5509 from Unreserved Fund Balance, 043-3310 for \$911,854.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; Commissioner Hall seconded the motion.
MOTION PASSED 4-0

19. Financial Reports/Statements, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve the *Accounts Payable Fund Requirements Report* for November 5th, 2024, and review County financial statements and reports.

Commissioner Simmons made a motion to approve the *Accounts Payable Fund Requirements Report* for November 5th, 2024, and review County financial statements and reports; a second was made by Commissioner Hall. MOTION PASSED 4-0

Time: 10:13 a.m.

A motion was made by Commissioner Hall to adjourn to Executive Session; Commissioner Simmons seconded the motion. MOTION PASSED 4-0

Time: 12:46 a.m.

Commissioner Hall made a motion to reconvene; a second was made by Commissioner Simmons. MOTION PASSED 4-01212

EXECUTIVE SESSION

20. Legal Matters, Shelby Rigtrup- Public Information Officer

To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.

A motion was made by Commissioner Simmons to authorize the settlement of the existing lawsuit as discussed in Executive Session with legal counsel; Commissioner Hall seconded the motion. MOTIO PASSED 4-0

21. Real Estate, Shelby Rigtrup- Public Information Officer

To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.

NO ACTION WAS TAKEN ON THIS ITEM

22. Personnel Matters, Shelby Rigtrup- Public Information Officer

To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.

Commissioner Simmons made a motion stating that since the airport is an enterprise fund separate from the general fund, they authorize holiday pay on those days that they have to work; a second was made by Commissioner Gardner. MOTION PASSED 4-0

ADJOURN

Time: 12:48 p.m.

With no further business to discuss a motion to adjourn was made by Commissioner Gardner with a second by Commissioner Simmons. MOTION PASSED 4-0

THE STATE OF TEXAS

COUNTY OF ECTOR

I, Jennifer Martin, County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the meeting held on the above date.

December 16, 2024 at 10:26 AM

